

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

Edward Monroe, Fabian Moore,
and Timothy Williams, on behalf of themselves
and all other similarly situated employees,

Plaintiffs,

v.

Case No. 2:08-cv-2100-BBD-dkv

FTS USA, LLC and
Unitek USA, LLC,

Defendants.

PLAINTIFFS' MOTION FOR STATUS CONFERENCE

In light of the U.S. Supreme Court's denial of Defendants' petition for a writ of certiorari (Doc. 506), Plaintiffs submit this motion for status conference to discuss the outstanding issues to be addressed by the Court. In support, Plaintiffs state as follows:

1. On June 21, 2017, the Sixth Circuit Court of Appeals entered an Opinion and Judgment affirming the district court's certification of this case as a collective action and its allowance of representative testimony at trial and the use of an estimated-average approach. The Sixth Circuit further ordered that this Court's calculation of damages was reversed and remanded for recalculation, stating that "[r]eversal of the district court's calculation of damages does not necessitate a new trial on liability." (Doc. 503).

2. On October 25, 2017, Defendants filed a petition for a writ of certiorari in the U.S. Supreme Court. (Doc. 505).

3. On February 20, 2018, the U.S. Supreme Court denied Defendants' petition. (Doc. 506).

4. At this time, Plaintiffs request a status conference to discuss entry of a new judgment based on a recalculation of damages and any other outstanding issues to be addressed, including Plaintiffs' supplemental motion for attorney's fees and costs.

5. Counsel for Plaintiffs consulted with counsel for Defendants on February 23, who indicated that they oppose Plaintiffs' motion.

Based on the foregoing, Plaintiffs respectfully request that the Court enter an Order setting a status conference.

Respectfully Submitted,

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I certify that on February 23, 2018, a copy of the foregoing document was served via the Court's ECF system on the following:

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s/William B. Ryan

CERTIFICATE OF CONSULTATION

On February 23, 2018, counsel for Plaintiffs consulted with counsel for Defendants regarding the instant motion. Defendants do oppose Plaintiffs motion.

s/William B. Ryan